

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:08-CR-134-RJC

USA

v.

Heverth Ulises Castellon (3)

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ORDER

**THIS MATTER** is before the Court upon motion of the defendant pro se for a reduction of sentence based on Amendment 821 to the United States Sentencing Guidelines relating to certain zero-point offenders. (Doc. No. 1799).

Part B, Subpart 1 of the Amendment is retroactive and created a two-level decrease if a defendant meets all the criteria in USSG §4C1.1(a). USSG §1B1.10(d), comment. (n.7). Here, the defendant transferred a gun in connection with the offense and received aggravated role adjustments. (Doc. No. 1010: Presentence Report ¶¶ 48, 65, 73). Accordingly, he is not eligible for relief. USSG §4C1.1(a)(7), (10).

**IT IS, THEREFORE, ORDERED** that the defendant's motion is **DENIED**.

Signed: July 1, 2024



Robert J. Conrad, Jr.  
United States District Judge

